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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION

OF: WITSCHER ET AL.

SERIAL No. 09/936,356

FILED: SEPTEMBER 11, 2001

FOR: TRICYCLIC BENZOYLPIRAZOLE DERIVATIVES

CONFIRMATION No.: 4151

GROUP ART UNIT: 1626

EXAMINER: R. L. ANDERSON



Honorable Commissioner

for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Alexandria, Va 22313-1450, on:

9/30/04

Date of Deposit Mary Chadwick

Person Making Deposit

Signature Mary Chadwick
9/30/04

Date of Signature

S U B M I S S I O N

Sir:

In reply to the Office action of September 28, 2004, it is respectfully requested that the attached Substitute Listing of Claims entered and considered. The Substitute Listing of Claims replaces Appendix I, pages 7 to 16, of Paper No. 08. Favorable action is solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF

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Encl.: THE SUBSTITUTE LISTING OF CLAIMS (Appendix I)

HBK/BAS

Paper No. 10